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December 2, 2021

VIA ECF

Hon. Cathy L. Waldor, U.S.M.J.
United States District Court For the District of New Jersey
Newark, New Jersey 07102

**Re: *Durr Mechanical Construction, Inc. v. PSEG Fossil LLC* (No. 18-cv-10675)
Discovery Extension Request**

Dear Judge Waldor:

This firm represents PSEG Fossil LLC (“PSEG”) in the above-referenced matter. We write jointly with Plaintiff Durr Mechanical Construction, Inc. (“Durr”) to request an extension of the case management schedule. Per text order entered on July 29, 2021 [Dkt. No. 116], fact discovery presently ends on February 28, 2022. (There are no other operative deadlines in this case.) We now jointly request that the conclusion of fact discovery be extended to **June 30, 2022**.

To date, the Parties have meaningfully progressed through discovery. We have exchanged written discovery requests and responses; negotiated a complex confidentiality order and protocol for the production of electronically stored information (“ESI”), including the negotiation of search terms; and each produced over 200,000 files (not including approximately 250,000 files received from non-parties via subpoenas). We have also collectively served over a dozen fact deposition notices and have begun to discuss the scheduling of same.

In late October 2021, PSEG located a hard drive containing a significant number of relevant “project files” and disclosed its existence to Durr on November 4. We are now moving forward with a rolling production of these files, likely to comprise at least 150,000 documents. (This figure reflects documents slated for production after deduplication against what PSEG has previously produced. PSEG is working with Durr to prioritize segments of this production.)

The Parties wish to conclude the production and review of these documents *before* commencing depositions as they believe it will be the most efficient way to proceed. To that end, we now jointly request that the Court extend the fact discovery deadline to June 30, 2022.

Thank you for your attention to this matter. Please do not hesitate to contact us with any questions. Per Section 7 of your Honor’s Individual Rules, a proposed order is attached hereto.

Respectfully Submitted,

s/ Peter J. Torcicollo

Peter J. Torcicollo

cc: All Counsel of Record (via ECF)